

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DARYL GREG SMITH,
Appellant,

v.

**GREGORY S. MILLIGAN,
CHAPTER 11 TRUSTEE FOR
DARYL GREG SMITH AND
CANADIAN RIVER RANCH, LLC,
*Appellee.***

6:21-CV-01244-ADA-DTG

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland (ECF No. 39) regarding Appellee Greg Milligan, Chapter 11 Trustee for the Bankruptcy Estates of Daryl Greg Smith and Canadian River Ranch, LLC's ("the Trustee's") Motion to Dismiss Appeal (ECF No. 34). The report recommends that the Trustee's Motion to Dismiss with Prejudice (ECF No. 34) be **GRANTED**. The report and recommendation was filed on February 28, 2024.


A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland (ECF No. 39) is **ADOPTED**.

IT IS FURTHER ORDERED that the Trustee's Motion to Dismiss with Prejudice (ECF No. 34) is **GRANTED**.

SIGNED this 13th day of May, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE